

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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J & J SPORTS PRODUCTIONS, INC.,

Plaintiff,

-against-

TAQUERIA JUAREZ RESTAURANT,  
INC. d/b/a TAQUERIA JUARES & DELI  
GROCERY, INC. a/k/a TAQUERIA  
JUAREZ and ERIKA FLORES FRANCO,

Defendants.  
-----X

GERSHON, United States District Judge:

ORDER

17-CV-4158 (NG) (LB)

FILED  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.

★ MAY 02 2018 ★

BROOKLYN OFFICE

By Order dated December 14, 2017, the court referred to Magistrate Judge Lois Bloom plaintiff J & J Sports Production, Inc.'s motion for default judgment. On March 16, 2018, Judge Bloom issued a Report and Recommendation ("R&R") recommending that plaintiff's motion be granted with respect to defendant Taqueria Juarez Restaurant, Inc. ("Taqueria") and denied with respect to defendant Erika Flores Franco. Plaintiff has filed objections, which I have carefully reviewed.

I conclude that the objections are without merit and adopt Judge Bloom's R&R in its entirety. Plaintiff's motion for default judgment against Taqueria is GRANTED in the amount of \$4,400. Plaintiff's motion for default judgment against Ms. Flores Franco is DENIED as the Complaint fails to state a claim against her. Plaintiff is granted leave to file an Amended Complaint as to Ms. Flores Franco on or before May 31, 2018. If plaintiff fails to do so, the claims against Ms. Flores Franco will be dismissed.

SO ORDERED.

/s/ Nina Gershon  
NINA GERSHON  
United States District Judge

Dated: May 2, 2018  
Brooklyn, New York